

JP:RTP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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M11-1032

UNITED STATES OF AMERICA

- against -

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF AN
APPLICATION FOR
ARREST WARRANT

MAYNARD DRAKES,
also known as
"Maynard Smith" and
"Jeffrey M. Biddle,"

(18 U.S.C. §§ 1542
and 1028A)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

PETER GONZALVES, being duly sworn, deposes and says
that he is a Special Agent with the Department of State,
Diplomatic Security Service ("DSS"), duly appointed according to
law and acting as such.

On or about March 24, 2011, within the Eastern District
of New York, the defendant, MAYNARD DRAKES, also known as
"Maynard Smith" and "Jeffrey M. Biddle," did willfully and
knowingly make a false statement in an application for a passport
with intent to induce and secure the issuance of a passport under
the authority of the United States, for his own use, contrary to
the laws regulating the issuance of passports and the rules
prescribed pursuant to such laws.

(Title 18, United States Code, Section 1542)

On or about March 24, 2011, within the Eastern District of New York and elsewhere, the defendant MAYNARD DRAKES, also known as "Maynard Smith" and "Jeffrey M. Biddle," did knowingly and intentionally possess and use, without lawful authority, a means of identification of another person, specifically a Social Security card, among other documents, bearing the name "Jeffrey Biddle," during and in relation to the crime of willfully and knowingly making a false statement in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws, in violation of Title 18, United States Code, Section 1542.

(Title 18, United States Code, Section 1028A)

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Special Agent with DSS and have been so for ten months. I am familiar with the facts and circumstances set forth below from my personal involvement in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

2. On or about March 24, 2011, the defendant MAYNARD DRAKES, also known as "Maynard Smith" and "Jeffrey M. Biddle," applied for a United States Passport. On the application, form DS-11, the defendant MAYNARD DRAKES provided a name of another person as his own and also submitted that person's social security number, date of birth and place of birth as his own. Specifically, the defendant MAYNARD DRAKES stated that his name was Jeffrey M. Biddle and that his place of birth was "USA." Further, the defendant MAYNARD DRAKES submitted a Social Security card, New York State Driver's License, and a birth certificate issued by the City of New York, all in the name of Jeffrey Biddle. The defendant also submitted a photograph with his application.

3. The defendant MAYNARD DRAKES filled out and submitted the application at the United States Post Office, Shirley H. Chisholm Station, in Brooklyn, New York using the above mentioned information.

4. During the course of verifying the information provided by the defendant, a United States Department of State fraud prevention manager reviewing previous passport applications for the name "Jeffrey M. Biddle," with the same Social Security number and date of birth indicated on the March 24, 2011 application, noted that one of the previous applications for Jeffrey M. Biddle appeared to have a photograph of an individual


that was different than the individual in the photograph submitted with the March 24, 2011 application. Upon noting this discrepancy, the fraud prevention manager forwarded the application to the DSS for further investigation.

5. Thereafter, I began an investigation into the identity of Jeffrey M. Biddle. My investigation revealed that the defendant MAYNARD DRAKES had previously been the subject of an investigation for passport fraud using the name Jeffrey M. Biddle that was conducted by DSS Special Agent David Morgante.

6. Specifically, I learned from Special Agent Morgante that the defendant MAYNARD DRAKES was convicted on March 30, 2011, of Possession of a Forged Instrument in the Third Degree, in violation of New York Penal Law 170.20, in the Supreme Court of the State of New York, Kings County. I also learned that on or about January 21, 2011, the Assistant District Attorney handling the defendant MAYNARD DRAKES'S criminal matter informed DSS Special Agent Morgante that the defendant had surrendered a United States Passport in the name of Jeffrey M. Biddle. I further learned from Special Agent Morgante that the defendant advised state authorities that he had purchased identity documents in the identity of Jeffrey M. Biddle for \$2500 and that he had used the documents to apply for and obtain a United States Passport in the name of Jeffrey Biddle on March 17, 1997.

7. Special Agent Morgante informed me that he had notified the Department of Homeland Security, Homeland Security Investigations ("HSI"), that the defendant MAYNARD DRAKES might be in the United States illegally. The HSI agent in charge of HSI's investigation into the defendant MAYNARD DRAKES'S immigration status told me that the defendant had admitted to him that he had purchased a birth certificate in the identity of Jeffrey Biddle for \$2500 from an individual that the defendant believed to be Jeffrey Biddle.

WHEREFORE, your deponent respectfully requests that the defendant MAYNARD DRAKES, also known as "Maynard Smith" and "Jeffrey M. Biddle," be dealt with according to law.



PETER GONZALVES
Special Agent
Department of State

Sworn to before me this
19th day of October, 2011
